



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 WRIT PETITION NO.3894 OF 2024

NAGORAO KASHINATHRAO PANCHAL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. S.K. Mathpati, Advocate for petitioner

Mr. A.M. Phule, AGP for respondent Nos.1 to 3

Mr. A.T. Kanawade, Advocate for respondent No.4

...

CORAM : SMT. VIBHA KANKANWADI &
S.G. CHAPALGAONKAR, JJ.

DATE : 16th APRIL, 2024

ORDER :

1 Heard learned Advocate Mr. S.K. Mathpati for the petitioner, learned AGP Mr. A.M. Phule for respondent Nos.1 to 3 and learned Advocate Mr. A.T. Kanawade for respondent No.4.

2 Present petition can be disposed of in view of the fact that the proposal forwarded by respondent No.4 on 13.02.2024 is still pending before respondent No.3 for grant of permanent approval to the appointment of the petitioner on the post of Head Master of the school.

3 Learned AGP, on instructions, submits that since there is Code of
Conduct, sufficient time be given, which would be after the Code of Conduct,
to decide the proposal. He points out paragraph No.22 under **Welfare
Schemes and Governmental Works** from the **Do's and Don'ts** regarding
Enforcement of the Model Code of Conduct issued by the Secretariat of the
Election Commission of India. However, we are of the opinion that since it is
the promotion given by respondent No.4 to the petitioner, which is to be
approved by respondent No.3, then there shall not be any hurdle.

4 By giving opportunity of hearing to the petitioner as well as
respondent No.4, respondent No.3 to decide the said proposal within a
period of three months from today.

5 The Writ Petition stands disposed of.

(S.G. CHAPALGAONKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

agd